

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

STEPHEN CHRISTOPHER WRIGHT,)

Plaintiff,)

v.)

The State of Oklahoma)

Defendant.)

Case No. CIV -20-287

FILED

APR 14 2020

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY AK DEPUTY

PLAINTIFF'S MOTION TO AMEND COMPLAINT TO JOIN PARTIES

1. Plaintiff moves this honorable Court for leave to amend its complaint pursuant to Fed. R. Civ. Proc. 15(a)(2), Fed. R. Civ. P. 15(a), and Fed. R. Civ. Proc. 20 to permissibly join Kevin Stitt to this action as a Defendant, and as grounds therefore avers as follows
2. Kevin Stitt is a citizen of the county of Oklahoma County, in the state of Oklahoma.
3. The Plaintiff alleges Kevin Stitt has acted, using his position and outside of his jurisdiction, which discriminates against the Plaintiff and ultimately keeps the Plaintiff, and others in his group of people, from running for public office.
4. The Plaintiff alleges that Kevin Stitt issued executive orders, while acting as Governor of Oklahoma, which:
 - a. Require ~~all~~ residents to stay home with the exception of running essential errands, like going to the grocery store or pharmacy.
 - b. Closes non-essential businesses in all 77 counties
 - c. Creates barriers to the Plaintiffs ability to gather signatures that is required to run for public office pursuant to Oklahoma Code §265112, *and Paupers people*
 - d. Creates barriers to those who would gather signatures on the Plaintiff's behalf.
 - e. Makes paying a filing fee the only avenue to the Plaintiff to run for public office in the desired position of US House Representative pursuant to Oklahoma Code §265112

- f. Creates barriers to fundraise to meet the demands pursuant to Oklahoma Code §265112 financial requirements which is a requirement to run for public office pursuant to Oklahoma code §265112
 - g. Violates the Plaintiff's, and his group of paupers people, rights as protected by the Equal Protection Clause under the 14th amendment to the United States Constitution.
 - h. Was outside of his jurisdiction as governor to make barriers to running for public office because his position does include the power to violate the United States Constitution and that the Oklahoma Constitution Article 1 lays out that the "Constitution of the United States is the supreme law of the land."
 - i. Are not eligible for any immunity because of the lack of jurisdiction when making those actions.
 - j. Were made on April 1st, approximately 9 days before the filing time for running for public office this includes the US House of Representatives position of which the Plaintiff is being unlawfully blocked from.
 - k. Did not include any provisions to protect paupers from conditions created by the executive order which would create barriers to running for public office.
 - l. Was repugnant to the Constitution of the United States
5. Immunity cannot be claimed pursuant to Oklahoma Code 51 O.S. § 152.1 because
- a. The Oklahoma Constitution: Article 1 § 1 states that Oklahoma is "inseparable part of the Federal Union" and "Constitution of the United States is the supreme law of the land." and therefore the state of Oklahoma cannot remove itself from liability, or anyone acting on their behalf, deriving from violations of federal law nor can it with regards to violations of the United States Constitution.
 - b. The Defendant acted outside of his jurisdiction therefore no immunity can be claimed by the Defendant..
 - c. This Court, under federal jurisdiction, has the authority to grant declaratory and injunctive relief under 28 U.S.C. § 2201-2202 and Fed. R. Civ. P. 57 and 65. The federal rights asserted by Plaintiffs are enforceable under 42 U.S.C. § 1983.



Stephen Wright

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Memorandum of Law in Support

Oklahoma Code §265112. Petitions and filing fees.

A. A declaration of candidacy must be accompanied by a petition supporting a candidate's filing signed by five percent (5%) of the registered voters eligible to vote for a candidate in the first election wherein the candidate's name could appear on the ballot, as reflected by the latest January 15 registration report; or by a cashier's check or certified check in the amount of Two Hundred Dollars (\$200.00) for candidates filing with the Secretary of the State Election Board or the secretary of a county election board; provided, however, such cashier's check or certified check shall be in the amount of One Thousand Five Hundred Dollars (\$1,500.00) for candidates for Governor, One Thousand Dollars (\$1,000.00) for candidates for United States Senator and Seven Hundred Fifty Dollars (\$750.00) for candidates for the United States Congress, and Five Hundred Dollars (\$500.00) for candidates for Lieutenant Governor, Corporation Commission, Attorney General, State Auditor and Inspector, State Superintendent of Public Instruction, State Treasurer, Commissioner of Insurance and Commissioner of Labor.

Oklahoma Code 51 O.S. § 152.1 A. The State of Oklahoma does hereby adopt the doctrine of sovereign immunity. The state, its political subdivisions, and all of their employees acting within the scope of their employment, whether performing governmental or proprietary functions, shall be immune from liability for torts.

The Oklahoma Constitution: Article 2 § 1. Political power - Purpose of government - Alteration or reformation. All political power is inherent in the people; and government is instituted for their protection, security, and benefit, and to promote their general welfare; and they have the right to alter or reform the same whenever the public good may require it: Provided, such change be not repugnant to the Constitution of the United States.

The Oklahoma Constitution: Article 1 § 1. Supreme law of land. The State of Oklahoma is an inseparable part of the Federal Union, and the Constitution of the United States is the supreme law of the land.